

3-3-05

517608

PCT/JP2002/006392

PATENT COOPERATION TREATY

PCT



Translation

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

22 DEC 2004

Applicant's or agent's file reference FI-2502	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2002/006392	International filing date (day/month/year) 26 June 2002 (26.06.2002)	Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC C08F 8/04, 232/06, C09J 109/06, 125/10, 145/00		
Applicant IDEMITSU PETROCHEMICAL CO., LTD.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 24 December 2003 (24.12.2003)	Date of completion of this report 13 July 2004 (13.07.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2002/006392

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	7	YES
	Claims	1-6	NO
Inventive step (IS)	Claims		YES
	Claims	1-7	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

2. Citations and explanations

Document 1: JP 5-194629 A (Tonex Co., Ltd.), 03 August 1993, claims, paragraphs [0016] to [0019]

Document 2: JP 11-335645 A (Arakawa Chemical Ind., Ltd.), 07 December 1999, claims

Claim 1

The invention set forth in claim 1 lacks novelty and does not involve an inventive step.

The "hydrogenated copolymer" and the feature wherein the "softening point as measured by means of a ring and ball method is between 85-95°C," which are set forth in claim 1, are disclosed in document 1 cited in the international search report (refer to document 1, claims).

Claims 2, 4 and 6

The inventions set forth in claims 2, 4 and 6 lack novelty and do not involve an inventive step.

The inventions that are set forth in claims 2, 4 and 6 are the inventions that are set forth in claim 1, 3 or 5, delimited by a feature wherein the "copolymer is obtained from a vinylaromatic compound and a cyclopentadiene and/or a dicyclopentadiene." However, the feature of hydrogenating a copolymer that contains these monomers is disclosed in document 1 cited in the

international search report (refer to document 1, claims).

Claim 3

The invention set forth in claim 3 lacks novelty and does not involve an inventive step.

The invention that is set forth in claim 3 delimits the invention that is set forth in claim 1 by means of the feature of hydrogenating a "copolymer with a softening point in the range of 45-55°C." However, there is no difference between resins that are hydrogenated as indicated above and the resins that are disclosed in document 1 cited in the international search report; therefore, there is not considered to be a difference between the softening points thereof.

Claim 5

The invention set forth in claim 5 lacks novelty and does not involve an inventive step.

The invention that is set forth in claim 5 is a hot-melt adhesive composition which contains the hydrogenated copolymer that is set forth in claim 1. However, document 1 cited in the international search report discloses the feature of using such a composition as an agent for imparting adhesive properties to a hot-melt (refer to document 1, claims).

Claim 7

The invention set forth in claim 7 does not involve an inventive step.

The invention that is set forth in claim 7 is the invention that is set forth in claim 5, delimited by the feature of "including a base polymer and a plasticizer." However, document 1 cited in the international search report discloses the feature of including a base polymer (refer to document 1, paragraph [0022]) and document 2

cited in the international search report discloses the feature of adding a plasticizer to a hot-melt adhesive; therefore, it would be easy for a person skilled in the art to add the plasticizer that is disclosed in document 2 to the hot-melt adhesive composition that is disclosed in document 1.

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

There are no disclosures pertaining to the copolymeric structures of the hydrogenated copolymers that are set forth in claim 1 and claim 3; therefore, the nature of these copolymers is unclear.